UNITED STATES PATENT AND TRADEMARK OFFICE

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>04/10/09</u>.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-21</u> is/are pending in the application.
    4a) Of the above claim(s) <u>10-21</u> is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☐ Claim(s) _____ is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☒ Claim(s) <u>1-9</u> are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>03/26/04; 08/29/08</u>.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

Applicant's election without traverse of Invention I, (claims 1-9) in the reply filed

on 04/10/09 is acknowledged.

Claim Interpretation

1. In determining patentability of an invention over the prior art, all claim limitations

have been considered and interpreted as broadly as their terms reasonably allow.   See

MPEP § 2111.

> Although the claims are interpreted in light of the specification, limitations from
> the specification are not read into the claims. See *In re Van Geuns*, 988
> F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).
>
> Applicant always has the opportunity to amend the claims during prosecution,
> and broad interpretation by the examiner reduces the possibility that the claim,
> once issued, will be interpreted more broadly than is justified. *In re Pruter*, 415
> F.2d 1393, 1404-05, 162 USPQ 541, 550-51 (CCPA 1969). See MPEP § 2111.

2. All claim limitations have been considered. Additionally, all words in the claims have

been considered in judging the patentability of the claims against the prior art. See

MPEP 2106 II C. The following language is interpreted as not further limiting the scope

of the claimed invention. See MPEP § 2106 II C.

Language in a method claim that states only the intended use or intended result,

but the expression does not result in a manipulative difference in the steps of the claim.

Language in a system claim that states only the intended use or intended result, but

does not result in a structural difference between the claimed invention and the prior art.

In other words, if the prior art structure is capable of performing the intended use, then it

meets the claim.

Claim limitations that contain statement(s) such as "*if, may, might, can could*", as

optional language. As matter of linguistic precision, optional claim elements do not

narrow claim limitations, since they can always be omitted.

Claim limitations that contain statement(s) such as "*wherein, whereby*", that fail to

further define the steps or acts to be performed in method claims or the discrete

physical structure required of system claims.

> USPTO personnel should begin claim analysis by identifying and evaluating each
> claim limitation. For processes, the claim limitations will define steps or acts to
> be performed. For products, the claim limitations will define discrete physical
> structures or materials. Product claims are claims that are directed to either
> machines, manufactures or compositions of matter. See MPEP § 2106 II C.

> The subject matter of a properly construed claim is defined by the terms that limit
> its scope. It is this subject matter that must be examined. As a general matter,
> the grammar and intended meaning of terms used in a claim will dictate whether
> the language limits the claim scope. Language that <u>suggests or makes optional</u>
> but does not require steps to be performed or does not limit a claim to a
> particular structure does not limit the scope of a claim or claim limitation. The
> following are examples of language that may raise a question as to the limiting
> effect of the language in a claim:

> (A) statements of intended use or field of use,
> (B) "adapted to" or "adapted for" clauses,
> (C) "wherein" clauses, or
> (D) "whereby" clauses.

> See MPEP § 2106 II C.

3. Independent claims are examined together, since they are not patentable distinct. If

applicant expressly states on the record that two or more independent and distinct

inventions are claimed in a single application, the Examiner may require the applicant to

elect an invention to which the claims will be restricted.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine,
manufacture, or composition of matter, or any new and useful improvement
thereof, may obtain a patent therefor, subject to the conditions and requirements
of this title.

Claims 1-9 are rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter. .

Re Claim 1: Not a proper method (i.e., process) claim.

In order for a method to be considered a "process" under 101, a claimed process

must either: (1) be tied to another statutory class (such as a particular apparatus) or (2)

transform underlying subject matter (such as an article or materials). *Diamond v. Diehr*,

450 U.S. 175, 184 (1981); *Parker v. Flook*, 437 U.S. 584, 588 n.9 (1978); *Gottschalk v.*

Benson, 409 U.S. 63, 70 (1972); *In re Bilski*, 88 USPQ2d 1385, 1391 and 1396 (2008).

The process steps recited in the body of the claim may be performed by a human

operator alone.

Dependent claims are further rejected based on the same rationale as the claims

from which they depend.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out
and distinctly claiming the subject matter which the applicant regards as his
invention.

Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential elements, essential steps and/or essential structural cooperative relationships of elements such omission amounting to a gap between the elements, the steps and/or the necessary structural connections . See MPEP § 2172.01. The omitted elements, steps and/or structural cooperative relationships are:

Claim 1 recites, "A method of mapping dimension-based accounting data to allow segment-based reporting, the method comprising:"

Although the claimed invention recites this objective in the preamble of the claim, the steps or acts performed in the body of the claim fail to accomplish this result.

Re Clam 1: The claimed invention refers to "selecting a set of dimensions from the dimension-based accounting data ….." Prior to the step of selecting, "the dimension-based accounting data" would need to be retrieved or entered as an input (i.e., into an underlying system ?? performing this process).

Claim 1 recites, "defining an order for the dimensions in the set of dimensions to define the segment-based account code structure;"

It would seem that before an order may be defined there needs to be more that one dimension present. If only one dimension is present, how could an order be defined? Should this recite "two or more dimensions", "plurality of dimensions etc."

There is insufficient antecedent basis for "the dimensions" in the claim.

Claim 1 recites, "A method of mapping dimension-based accounting data *to*

allow segment-based reporting, the method comprising:

selecting a set of dimensions from the dimension-based accounting data for a

segment-based account code structure;

defining an order for the dimensions in the set of dimensions *to* define the segment-

based account code structure; and

using the segment-based account code structure and the dimension-based data *to*

construct account codes."

Please see remarks supra on claim interpretation. The language in bold,

italicized wording is written passively, written as an intended use/result etc. and raises

a question as to whether the subject matter following the terms are required limitations

of the claimed invention. Please note that the claims have been given their broadest

reasonable interpretation and thus the subject matter following these terms have been

interpreted has not further limiting of the claimed invention.

Note: Applicant may wish to positively recite each step or act performed by the

claimed invention (E.g., "defining the segment-based account code structure based on

the order ....."; "constructing account codes based on the segment-based account code

structure and the dimension-based data."

Re Clams 1 and 8: The singular/plural relationship between terms is unclear. It

is unclear whether the account code(s) constructed pertain to one account or each of a

plurality of accounts. It is unclear whether a plurality of "account codes" are constructed

as suggested by claim 1 or a single "account code" as suggested by claim 8.

Re Claims 2-6 and 8: Similar to claim 1, please correct the use of terms such as "using .....", "if ....." and "to ....." that raise a question as to the limiting effect of the subsequent language in the claim. Please see remarks supra on claim interpretation.

Claim 8 recites, "wherein constructing an account codes comprises:"

As noted supra, with respect to claim 1. This step or act is never done and has only been recited in the claimed invention as an intended use/result. Please see remarks supra on claim interpretation.

Dependent claims are further rejected based on the same rationale as the claims from which they depend.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Minnis, US Pub. No. 2004/0230508.

Re Claim 1: Minnis discloses a method of mapping dimension-based accounting data

to allow segment-based reporting, the method comprising:

selecting a set of dimensions from the dimension-based accounting data for a segment-

based account code structure (Minnis, abstract, [0013] [0072] [0074] [0075] [0090]

[0093] [0104] [0105] [0119] [0120] [0122] [0123] [[0124] [0153] [0157]);

defining an order for the dimensions in the set of dimensions to define the segment-

based account code structure (Minnis, abstract, [0013] [0072] [0074] [0075] [0090]

[0093] [0104] [0105] [0119] [0120] [0122] [0123] [[0124] [0153] [0157]); and

using the segment-based account code structure and the dimension-based data to

construct account codes (Minnis, abstract, [0013] [0072] [0074] [0075] [0090] [0093]

[0104] [0105] [0119] [0120] [0122] [0123] [[0124] [0153] [0157]).

Re Claim 2: Minnis discloses the claimed invention supra and further discloses

wherein selecting a set of dimensions comprises validating values associated with the

dimensions using rules associated with segment-based reporting (Minnis, abstract,

[0072] [0074] [0075] [0090] [0157]).

Re Claim 3: Minnis discloses the claimed invention supra and further discloses

wherein validating a value comprises determining if the value includes a character that

is not valid in an account code (Minnis, abstract, [0072] [0074] [0075] [0090] [0157]).

Re Clam 4: Minnis discloses the claimed invention supra and further discloses wherein

validating a value comprises determining if the length of the value exceeds a length set

for the value (Minnis, abstract, [0072] [0074] [0075] [0090] [0157]).

Re Claim 5: Minnis discloses the claimed invention supra and further discloses

wherein validating a value comprises determining if the value is null (Minnis, abstract,

[0072] [0074] [0075] [0090] [0157]).

Re Claim 6: Minnis discloses the claimed invention supra and further discloses

providing an error message if a value violates a rule associated with segment-based

reporting (Minnis, abstract, [0072] [0074] [0075] [0090] [0157]).

Re Claim 7: Minnis discloses the claimed invention supra and further discloses

wherein defining the account code structure comprises generating table entries that link

segments of the account code structure to dimension headings in tables that contain the

dimension-based data (Minnis, abstract {0090] {0104] [0105] [0106] [0119] [0125]

[0139]).

Re Claim 8: Minnis discloses the claimed invention supra and further discloses

wherein constructing an account codes comprises:

locating an entry in the dimension-based data (Minnis, abstract, [0013] [0072] [0074]

[0075] [0090] [0093] [0104] [0105] [0119] [0120] [0122] [0123] [[0124] [0153] [0157]);

identifying dimension values from the entry (Minnis, abstract, [0013] [0072] [0074]

[0075] [0090] [0093] [0104] [0105] [0119] [0120] [0122] [0123] [[0124] [0153] [0157]);

and combining the identified dimension values based on the account code structure to

construct the account code (Minnis, abstract, [0013] [0072] [0074] [0075] [0090] [0093]

[0104] [0105] [0119] [0120] [0122] [0123] [[0124] [0153] [0157]).

Re Claim 9: Minnis discloses the claimed invention supra and further discloses

wherein locating an entry comprises locating an entry having at least one balance value

(Minnis, abstract, [0013] [0072] [0074] [0075] [0090] [0093] [0104] [0105] [0119] [0120]

[0122] [0123] [[0124] [0153] [0157]).

Conclusion

The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

US 20070179870 A1

US 20050108163 A1

US 20050086135 A1

US 20050086125 A1

US 20040088232 A1

US 20030046194 A1

US 20020156687 A1

US 20020138375 A1

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to SARA CHANDLER whose telephone number is

(571)272-1186. The examiner can normally be reached on 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, James Kramer can be reached on 571-272-6783. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SMC

/JAGDISH N PATEL/
Primary Examiner, Art Unit 3693